

10/070,896

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**FACSIMILE TRANSMISSION**

Name: Eleanor Kurtz	
TO:	Company: PTO
Fax No.: 703/308-5806	Phone No.:
Name: Judy Damewood, Office Manager	
FROM:	Date: May 19, 2004
Our Ref.: Deposit Account	Trans. No.:
# Pages (Incl. cover): 8	

**REMARKS:**

Eleanor,

Attached are two Fee Transmittal Sheets, and a Petition for Extension of Time, for which our deposit account has not been charged. On application no. 09/358,738 (our docket MNN026PA), we were charged for an extension of time on 12/17, but not the extra claim charges.

On application no. 10/070,896 (our docket KEL 022 PA), we were charged for extra claims on 4/29, but not the extension of time.

I'm also attaching a copy of another Request for Refund that we faxed to the PTO on 5/13. We were charged a large entity fee, instead of small entity, for an extension of time (I think the PTO form is really confusing and this is the second time this has happened to us). This was just faxed last week and I haven't received an acknowledgment yet, so I don't know if this is something you could also check on, or if we should just wait for follow-up on the initial request. I don't want to have the correction made twice.

Thanks so much for your help on these.

*Judy*

**FAX RECEIVED**

JUN 03 2004

**GROUP 3700**

APR 14 2004

## STEVENS &amp; SHOWALTER, L.L.P.

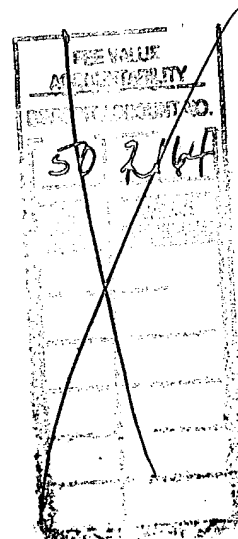
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## FACSIMILE TRANSMISSION

TO:	Name:	Examiner Melvin Jones, Art Unit 3744	
	Company:	US Patent and Trademark Office	
	Fax No.:	703/872-9306	Phone No.:
FROM:	Name:	Richard C. Stevens, Reg. No. 28,046	
	Date:	April 14, 2004	
	Our Ref.:	Serial No. 10/070,896; Docket KEL 022 PA	Trans. No.:
# Pages (incl. cover): 48			



## REMARKS:

## OFFICIAL

1. Transmittal Form
2. Fee Transmittal (2 copies to charge extra independent claim fees to deposit account)
3. Patent Application Fee Determination Record
4. Petition for Extension of Time (2 copies to charge extension fee to deposit account)
5. Amendment (with copy of IDS filed 2/11/2003)

Please deliver to Examiner Jones immediately.

CONFIDENTIAL ATTORNEY CLIENT PRIVILEGED FACSIMILE COMMUNICATION

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PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1,634****Complete If Known**

Application Number	10/070,898
Filing Date	05/13/2002
First Named Inventor	Ian David Wood
Examiner Name	Melvin Jones
Art Unit	3744
Attorney Docket No.	KEL 022 PA

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
502164Deposit Account Name  
Stevens & Showalter LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

**SUBTOTAL (1)** (\$)**0****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
81-87	20** = 0	X	0
Independent Claims	22	3** = 18	X 1,634
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 68	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$)**1,634**

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 68	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920	1804 920	Requesting publication of SIR prior to Examiner action	
1805 1,840	1805 1,840	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (for reissue)	
1502 480	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 800	1802 800	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)**0****SUBMITTED BY**

Name (Print/Type) Richard C. Stevens

Registration No. 28,048

(Complete if applicable)

Telephone 937/438-6848

Signature

Date

4/14/04

**WARNING:** Information on this form may become public. Credit card information should not

be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0831-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/070,896	
	Filing Date	05/13/2002	
	First Named Inventor	Ian David Wood	
	Art Unit	3744	
	Examiner Name	Melvin Jones	
Total Number of Pages in This Submission	48	Attorney Docket Number	KEL 022 PA

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Patent Application Fee Determination Record
Remarks The Fee Transmittal form includes authorization to charge to the deposit account the extra independent claim fees; and  The Petition for Extension of Time includes authorization to charge to the deposit account the three-month extension fee.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or individual name	Richard C. Stevens, Reg. No. 28,046	
Signature	<i>Richard C. Stevens</i>	
Date	4/14/04	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Richard C. Stevens	
Signature	<i>Richard C. Stevens</i>	Date 4/14/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1450.

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